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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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07/801,749 12/03/91 BEIGEL

M 9109

EXAMINER

SWANN III, G

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ART UNIT PAPER NUMBER

2608

3

DATE MAILED: 06/02/92

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☐ Responsive to communication filed on _____ ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input checked="" type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| 3. <input checked="" type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-19 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
2. ☐ Claims _____ have been cancelled.
3. ☐ Claims _____ are allowed.
4. ☒ Claims 1-19 are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable. ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner. ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed on _____, has been ☐ approved. ☐ disapproved (see explanation).
12. ☐ Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received
☐ been filed in parent application, serial no. _____; filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

EXAMINER'S ACTION

Art Unit 2608

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --
(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

3. Claims 1, 3-4, 6, 10-11, 13-16, & 19 are rejected under 35 U.S.C. § 102(a) as being clearly anticipated by Hogen Esch et al.

Art Unit 2608

4. Claims 2, 5, 7-9, & 17-18 are rejected under 35 U.S.C. § 103 as being unpatentable over Hogen Esch et al. in view of Anders et al. In view of the fact that Hogen Esch et al. employs permanent and temporary memories, it would have been obvious to one of ordinary skill in the art at the time of the invention to employ the types of memory disclosed by Anders et al. for use in a similar device. Note especially column 11, lines 25-52 and column 14, lines 39-44.

5. Claim 12 is rejected under 35 U.S.C. § 103 as being unpatentable over Hogen Esch et al. in view of Carroll. In view of the disclosure of Carroll to use a balanced drive for a communication coil (20/22 of Fig. 2), it would have been obvious to one of ordinary skill in the art at the time of the invention to use a balanced drive for the coil 2 of Hogen Esch et al. since this was a common technique, and such balanced drives are connected as recited in claim 12.

Art Unit 2608

u 6. Claims 10-14 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 10, there is no antecedent basis in the claim for "the reader" (line 2). Claims 11-14 are dependent on claim 10.

u 7. The disclosure is objected to because of the following informalities: On page 6, line 16, "220" should read --210--. On page 12, line 14, reference is made to "demodulator 242," but "242" has already been used to label the output from 240 to 230. On page 17, line 5, it seems that "120/125" should read --120/135--. Appropriate correction is required.

8. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.


Serial No. 07/801,749

-5-

Art Unit 2608

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Glen Swann whose telephone number is (703) 305-4384.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4750.


GLEN R. SWANN
PRIMARY EXAMINER
GROUP 268

SWANN:grs
28 May 1992